

### REMARKS

Claims 11-25, 27, 30, 32, 34, and 36-58 remain pending. By the foregoing amendment, claims 28, 29, and 33 have been cancelled without prejudice or disclaimer, and claims 30, 32, 36, 38, 40, 41, 43, 44, 46, 47, 49, 50, and 51 have been amended to correct their dependencies in view of the cancellation of claims 28, 29, and 33. No new matter is added.

Applicants thank Examiner Fay for the courtesies extended to its representatives Gregg Brown and Paul Rivard, and to Geoffrey Owen, Ph.D., Alcon's Technical Director of Pharmaceutical Research, during a personal interview on April 29, 2008. During the interview, Dr. Owen discussed the data presented in his February 27, 2008 declaration, which demonstrates the unexpectedly superior ocular penetration of moxifloxacin compositions over all other fluoroquinolones tested throughout the 0.1 – 1.0 wt. % concentration range of claim 11.

Also, Examiner Fay raised a question concerning claim 29 that Applicants submit is now moot as claim 29 have been cancelled in an effort to expedite allowance of this application.

The Examiner is invited to telephone the undersigned at the number listed below if doing so would be helpful to resolve any outstanding issues.

Respectfully submitted,  
BANNER & WITCOFF, LTD.

Date: May 8, 2008

1100 13<sup>th</sup> Street N.W.  
Suite 1200  
Washington, DC 20005-4051  
(202) 824-3000 (telephone)  
(202) 824-3001 (facsimile)

By: /Paul M. Rivard/  
Paul M. Rivard  
Registration No. 43,446